

### **REMARKS**

In the Office Action, election of claims 1-6, 9-12, 17-23, was made final. Claims 3-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claims 1-3, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishida et al., (U.S. Patent 5,932, 012, hereinafter "Ishida") and Chikahisa et al. (U.S. Patent 6, 562, 911, hereinafter "Chikahisa"). Claims 4-6, 12, and 17-23 were objected to as being dependent upon a rejected base claim. By the present Response, claims 1 and 11 are amended, claims 9 and 10 are canceled, and new claims 24-26 are added. Upon entry of the amendments, claims 1-6, 11-12, 17-26 will be pending in the present patent application. Reconsideration and allowance of all pending claims are requested.

### **Rejections Under 35 U.S.C. § 112**

In the Office Action, claims 3-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, due to a misspelling in claim 3.

The application has been carefully reviewed and error pointed out by the Examiner could not be identified. The misspelling pointed out by the Examiner was not found in Applicants' copy of the Application as filed. In the event the Examiner determines that this or other errors are present, Applicants invite the Examiner to call the undersigned to facilitate their correction.

### **Rejections Under 35 U.S.C. § 103**

The Examiner rejected independent claims 1 and 11, and their dependent claims under 35 U.S.C. 103(a) as being unpatentable over Ishida and Chikahisa.

**Claim 1 and the Claims Depending Therefrom**

Claim 1 and claims depending therefrom are allowable for the reasons mentioned below.

Claim 1 is amended to recite a robotic pen comprising a machine including a stage for mounting a workpiece for rotation and orthogonal translation, the said stage permitting translation generally in a plane and rotation about an axis generally parallel to said plane, and an elevator for translation from said stage. As set forth in the application, the workpiece is rotatable parallel to the X-axis and Y-axis plane. *See, e.g., FIG. 1.*

With respect to Ishida, FIG. 1 of this reference illustrates an X-axis table fixed on a base mount, and the Y-axis table mounted on the X-axis table movably in the X-axis direction, and the  $\theta$ -axis table further mounted on the Y-axis table movably in the Y-axis direction. The substrate attracting table is mounted on the  $\theta$ -axis table, and the substrate is attracted to and mounted on the substrate attracting table in such a manner that the four sides of the substrate are parallel to the X-axis and Y-axis directions respectively. The substrate can be rotated in the  $\theta$ -axis direction around the Z-axis *perpendicular* to the X-axis and Y-axis plane. This reference does not describe the workpiece being rotatable *parallel* to the X-axis and Y-axis plane. With respect to Chikahisa, this reference similarly fails to disclose the workpiece being rotatable *parallel* to the X-axis and Y-axis plane.

Because Ishida and Chikahisa, considered separately or in combination would not read on the claimed arrangement, a *prima facie* case of obviousness for the independent claim 1 cannot be supported. Thus, reconsideration and allowance of amended claim and the claims depending therefrom are requested.

**Claim 11 and the Claims Depending Therefrom**

Claim 11 and claims depending therefrom are allowable for the reasons mentioned below.

Claim 11 is amended to recite a robotic pen comprising a computer numerically controlled machine including a stage for mounting a workpiece for rotation and orthogonal translation, the said stage permitting translation generally in a plane and rotation about an axis generally parallel to said plane, and an elevator for translation from said stage.

As noted above, Ishida does not describe the workpiece being rotatable parallel to the X-axis and Y-axis plane. With respect to Chikahisa, this reference fails to disclose the workpiece being rotatable parallel to the X-axis and Y-axis plane.

Because Ishida and Chikahisa, alone or in combination, fail to teach all of the recitations of claim 11, a *prima facie* case of obviousness cannot be supported for the independent claim 11. Thus, reconsideration and allowance of amended claim 11 and the claims depending therefrom are requested.

**New Claim**

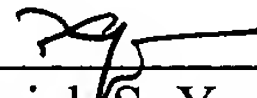
Three new claims have been added by this response. Claim 24 incorporates features recited in claims 1 and 4. Claim 25 incorporates features originally recited in claim 4. Claim 26 incorporates features originally recited in claim 5. No new matter has been added. Claim 24-26 are therefore believed to be in condition for allowance.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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